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U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARTIN HERNANDEZ-BAEZ;
ANTONIA HERNANDEZ,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-70875

Agency Nos. A75-511-987
A75-502-550

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted June 5, 2006**

Before: CANBY, T.G. NELSON and KLEINFELD, Circuit Judges.

This is a petition for review of the February 17, 2004 final order of the
Board of Immigration Appeals.

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

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Respondent's motion for summary disposition is granted because the questions raised by the petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

The court lacks jurisdiction to consider petitioners' challenge to the September 9, 2004 order denying petitioners' motions to reconsider and to reopen because no petition for review was filed from that order. *See* 8 U.S.C. § 1252(b).

PETITION FOR REVIEW DENIED.